

Right to a deposition on allegation of statutory ground. 34 MLR 562.

Where proper notice is served for taking a deposition de bene esse the court has no jurisdiction to restrain the taking of such deposition. Statutory grounds must exist before such a deposition may be taken, and if at the time of trial it appears that such reason did not exist the deposition may not be used. This applies where an application is made to take the deposition of a witness in litigation relating to an automobile accident, and the statutory reason given was that the witness was about to leave the state and did not intend to return to be present at the trial. *Juster v Grossman*, 229 M 280, 38 NW(2d) 832.

597.02 Superseded by Rules of Civil Procedure, Rule 30.01.

597.03 EXAMINATION OF WITNESS

Depositions; examiner's right to a protective order. 35 MLR 407.

597.04 Superseded by Rules of Civil Procedure, Rules 26.01, 28.01, 28.02, and 31.01.

597.05 Superseded by Rules of Civil Procedure, Rules 26.01 and 31.01.

597.06 Superseded by Rules of Civil Procedure, Rule 29.

597.07 Superseded by Rules of Civil Procedure, Rules 30.03, 30.05, and 31.02.

597.08 Superseded by Rules of Civil Procedure, Rules 30.05, 30.06, and 31.02.

597.09 Superseded by Rules of Civil Procedure, Rules 30.06 and 31.02.

597.10 Superseded by Rules of Civil Procedure, Rules 30.03 and 31.02.

597.11 Superseded by Rules of Civil Procedure, Rules 37.02 and 45.04.

597.12 Superseded by Rules of Civil Procedure, Rules 26.04, 26.05, and 32.03.

597.13 Superseded by Rules of Civil Procedure, Rules 32.01, 32.02, 32.03, and 32.04.

597.14 Superseded by Rules of Civil Procedure, Rule 30.07.

597.15 Superseded by Rules of Civil Procedure, Rule 26.04.

597.16 Superseded by Rules of Civil Procedure, Rule 26.04.

CHAPTER 598

PERPETUATION OF TESTIMONY

598.01-598.03 Superseded by Rules of Civil Procedure, Rule 27.01.

598.05-598.11 Superseded by Rules of Civil Procedure, Rule 27.01.